

1 JAMES HARTSELL, ESQ.  
2 Nevada Bar No. 5017  
3 LAW OFFICES OF JAMES HARTSELL  
4 720 S. Fourth Street, Suite 100  
5 Las Vegas, NV 89101  
6 (702) 384-3132  
7 Attorney for Defendant

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA, ) Case No.: 2:13-CR-00323-JCM-PAL  
11 Plaintiff, )  
12 vs. )  
13 DONALD WALTERS, JR., )  
14 Defendant. )

15 **UNOPPOSED MOTION FOR PRESENTENCE REPORT**

16 COMES NOW, the Defendant, DONALD WALTERS, JR., by and through his counsel, JAMES  
17 HARTSELL, ESQ., and moves this Honorable Court to order a presentence report for the purposes of  
18 determining his Criminal History Category.

19 This Motion is supported by the Points and Authorities attached hereto and the additional  
20 arguments of counsel to be adduced at the hearing thereof.

21 DATED this 24th day of February, 2014.

22 \_\_\_\_\_/s/\_\_\_\_\_  
23 JAMES HARTSELL, ESQ.  
24 Attorney for Defendant  
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POINTS AND AUTHORITIES

The Defendant is charged by way of Indictment with two (2) counts of Felon in Possession of Firearm. Trial is currently set for April 14, 2014. The case is close to being negotiated however because of the Defendant's criminal history, it is difficult to determine exactly under which Criminal History Category his case will fall. As he may very well fall under Category IV, it is important for the Defendant to know what his guideline range may be. The Defendant would like a presentence investigation to determine his criminal history category. Defense counsel spoke with the Government and they do not oppose this motion.

Therefore, it is requested that this Court order a presentence investigation determine the Defendant's Criminal History Category only.

CONCLUSION

The Defendant respectfully requests that her motion be granted based on the above.

DATED this 24th day of February, 2014.

Respectfully submitted

/s/  
JAMES HARTSELL, ESQ.

IT IS SO ORDERED

Dated: March 5, 2014



UNITED STATES MAGISTRATE JUDGE